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PATENT
Attorney Docket No. 402914

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jun FUJIMOTO

Application No. 10/735,816

Group Art Unit: 3629

Filed: December 16, 2003

Examiner: Unassigned

For: **POSITIONAL INFORMATION
MANAGEMENT SYSTEM**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

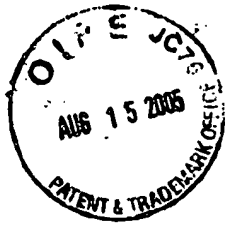
The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under

Adjustment date: 10/21/2005 SFELEKE1
07/20/2005 THEBRIDE 00000002 121216 10735816
01 FC:1806 180.00 CR



PATENT MAINTENANCE
CHARGE

2005 AUG 16 PM 5:22

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OFFICE

In re Application of:

Jun FUJIMOTO

Art Unit: 3629

Application No.: 10/735,816

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REQUEST FOR REFUND

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Box 16
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Dear Sir:

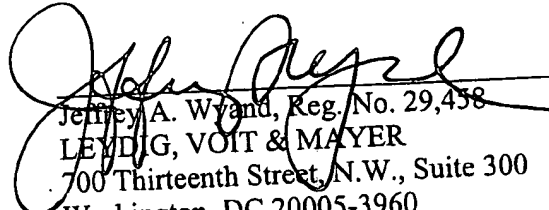
Applicant requests a refund of \$180 improperly charged with respect to an Information Disclosure Statement.

The referenced patent application was filed December 16, 2003 and is awaiting first examination. An Information Disclosure Statement was filed on July 11, 2005. A copy of the Information Disclosure Statement from the image file wrapper is attached. As shown by the Information Disclosure Statement no fee was to be charged with respect to its filing. Further, it is apparent that in this instance, when no Official Action has yet been issued for the referenced patent application, that the charging of the Information Disclosure Statement fee was entirely incorrect. A page showing that our Deposit Account was charged for the Information Disclosure Statement filed in with this patent application is attached.

In re Application of Jun FUJIMOTO
Application No. 10/735,816

A prompt refund of the improper charge is earnestly solicited.

Respectfully submitted,


Jeffrey A. Wyand, Reg. No. 29,438
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date:
JAW/jj

August 15, 2005

DFW



PATENT
Attorney Docket No. 402914

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jun FUJIMOTO

Group Art Unit: 3629

Application No. 10/735,816

Examiner: Unassigned

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Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under

In re Appln. of Jun FUJIMOTO
Application No. 10/735,816

37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- ☐ after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

or

- ☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- ☐ Copies of the references listed on the enclosed Form 1449 are enclosed herewith.

- ☒ Copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith. Copies of other references identified on the accompanying Form 1449 are enclosed herewith.

- ☒ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

- ☐ A copy of the foreign search report is enclosed herewith.

- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were

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Application No. 10/735,816

furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

- ☒ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- ☐ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees and Method of Payment of Fees

- ☒ No fee is owed by the applicant(s).
☐ Charge Deposit Account No. 12-1216 in the amount of \$180.00 under 37 CFR 1.17(p). (A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of Jun FUJIMOTO
Application No. 10/735,816

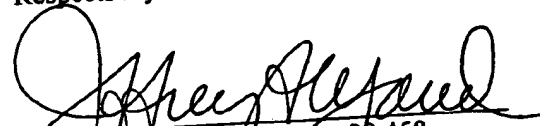
Authorization to Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

Instructions as to Overpayment

- ☒ Credit Account No. 12-1216.
☐ Refund

Respectfully submitted,



Jeffrey A. Wyand, Reg. No. 29,458
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: July 11, 2005
JAW/tps

IDS (Revised 6/30/05)

Deposit Account Statement

07/19 5	78254671	222958	6006	✓\$100.00	\$135,751.75
07/19 6	78254671	222958	7001	✓-\$1,005.00	\$136,756.75
07/19 7	78254671	222958	6001	✓\$670.00	\$136,086.75
07/19 8	78976295*		6001	\$335.00	\$135,751.75
07/19 21	10519658	225962	2632	✓-\$250.00	\$136,001.75
07/19 22	10519658	225962	2642	✓\$200.00	\$135,801.75
07/19 23	0159100952		8023	\$240.00	\$135,561.75
07/19 24	10424638	2222226 222226	2814	\$65.00	\$135,496.75
07/19 24	0159100952		8014	\$50.00	\$135,446.75
07/19 28	11121647	235483	1051	✓\$130.00	\$135,316.75
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07/19 33	11182298	235765	1111	✓\$500.00	\$134,516.75
07/19 34	11182298	235765	1311	✓\$200.00	\$134,316.75
07/19 35	11182298	235765	1201	✓\$600.00	\$133,716.75
07/19 39	10318821	606305	1202	✓\$150.00	\$133,566.75
07/19 44	2286038	301382	7205	✓\$100.00	\$133,466.75
07/19 45	2286038	301382	7208	✓\$200.00	\$133,266.75
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07/19 60	10516047	606305	1202	✓\$400.00	\$132,736.75
07/19 79	29182362	222323	1502	✓\$800.00	\$131,936.75
07/19 101	0154400314	235104	8014	✓\$25.00	\$131,911.75
07/19 102	0154400853	235104	8014	✓\$25.00	\$131,886.75
07/19 103	0159690567	235104	8014	✓\$25.00	\$131,861.75
07/19 104	0159690596	235104	8014	✓\$25.00	\$131,836.75
07/19 105	0159860820	235104	8014	✓\$25.00	\$131,811.75
07/19 106	0159690600	235104	8014	✓\$25.00	\$131,786.75
07/19 208	10959179	403219/M&C	8021	✓\$40.00	\$131,746.75
07/19 209	10988560	403248/M&C	8021	✓\$40.00	\$131,706.75
07/19 235	CA0301928	225594	8021	✓\$40.00	\$131,666.75
07/19 268	78398689	227984	7002	✓\$100.00	\$131,566.75
07/19 275	60677876	235659	8021	✓\$40.00	\$131,526.75
07/19 311	29203288	306253	1502	✓\$800.00	\$130,726.75
07/19 1597	2262239	178669	7205	✓\$100.00	\$130,626.75
07/19 1598	2262239	178669	7208	✓\$200.00	\$130,426.75
07/19 2004	78673424	237061	7001	✓\$325.00	\$130,101.75
07/20 2	11111559	234819	8021	✓\$40.00	\$130,061.75
07/20 2	10735816	402914	1806	✓\$180.00	\$129,881.75
07/20 3	09797136	227784	1202	✓\$150.00	\$129,731.75
07/20 10	60700189	237559	1005	✓\$200.00	\$129,531.75
07/20 11	11183831	403449/DEHN	1011	✓\$300.00	\$129,231.75
07/20 12	11183831	403449/DEHN	1111	✓\$500.00	\$128,731.75
07/20 13	11183831	403449/DEHN	1311	✓\$200.00	\$128,531.75
07/20 24	09108509	187057	9204	✓-\$964.00	\$129,495.75
07/20 42	10416690	221378	1201	✓\$600.00	\$128,895.75
07/20 42	11143384	235939	8021	✓\$40.00	\$128,855.75

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